

MAR 25 2005

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Atty. Dkt. No. 047711-0221

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Ronald J. LEBEL, et al.

Title: AMBULATORY MEDICAL  
APPARATUS WITH HAND  
HELD COMMUNICATION  
DEVICE

Appl. No.: 09/768,196

Filing Date: 01/22/2001

Examiner: Matthew F. Desanto

Art Unit: 3763

CERTIFICATE OF EXPRESS MAILING  
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Richard Ruggiero**

(Printed Name)

*Richard Ruggiero*

(Signature)

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

**STATEMENT**

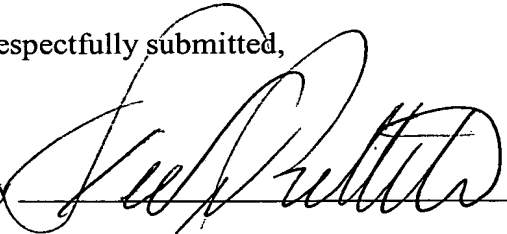
The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or

even entirely missing, the Commissioner is authorized to charge the unpaid amount to  
Deposit Account No. 50-0872.

Respectfully submitted,

Date March 24, 2005 By 

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ronald J. Lebel et al. Examiner: Matthew F. Desanto  
Serial No.: 09/768,196 Group Art Unit: 3763  
Filed: January 22, 2001 Docket: 047711/0221  
Title: AMBULATORY MEDICAL APPARATUS WITH HAND HELD COMMUNICATION  
DEVICE

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as Express Mail (EV445624832US) with sufficient postage, in an envelope addressed to: Commissioner for Patents, Alexandria VA 22313 on March 24, 2005.

By: \_\_\_\_\_

*Richard Ruggiero*

Richard. Ruggiero

Commissioner for Patents  
Alexandria, VA 22313  
Sir:

We are transmitting herewith the attached:

- ☒ Information Disclosure Statement Transmittal (in duplicate)
- ☒ Form PTO/SB/08
- ☒ Cited References (4)
- ☒ Copy of European search report
- ☒ Return postcard

Please charge any fees associated with this transmittal to Deposit Account No 50-0872. **A duplicate of this sheet is enclosed.**

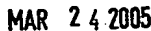
Date: March 24, 2005  
FOLEY & LARDNER LLP  
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By: \_\_\_\_\_

Name: Ted Rittmaster

Reg. No.: 32,933

TRR/rsr



Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for Form 1449B/PTO

**Date Submitted: March 24, 2005**

*(use as many sheets as necessary)*

Sheet

1

of

1

**Complete if Known**

<b>Application Number</b>	09/768,196
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<b>Filing Date</b>	01/22/2001
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First Named Inventor	Ronald J. Lebel
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Group Art Unit	3763
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Examiner Name	Matthew F Desanto
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Attorney Docket Number	047711-0221
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[illegible][illegible]

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

**Examiner  
Signature**

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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